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APPLICATION NO. 09/104,402	FILING DATE 10/28/98	FIRST NAMED INVENTOR BALSDON	ATTORNEY DOCKET NO. 101846
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EXAMINER TUDOR, H

ART UNIT 3641	PAPER NUMBER 7
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DATE MAILED: 04/12/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

Applicant(s)

Examiner

Group Art Unit

09/184,402 Balsdon et al
Tudor, H. J 3641

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE SIX MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☐ Responsive to communication(s) filed on 12-14-00
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-10 is/are pending in the application.
- Of the above claim(s) 6, 7 is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-5, 8-10 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 1 7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 3
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary; PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

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1. Applicant has elected, with traverse, the species of Figure 1. Claims 1-5 and 8-10 read on the elected species. Claims 6 and 7, which recite an air transfer tube, clearly read on the species of Figure 3. Claims 6 and 7, drawn to the nonelected invention, have been withdrawn from consideration in accordance with 37 CFR 1.142(b).

2. The disclosure is objected to because of the following informalities: In line 22 of page 5, --40-- should be substituted for "48". In line 4 of claim 8, --plenum-- should be substituted for "plenuy". Appropriate correction is required.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-5 and 8-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The clause "the downstream wall and radially inner and outer walls being closed," in line 7 of claim 1, is misleading if not inaccurate because the radial inner wall has an aperture 88 in it.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-5, as far as they can be understood because of their indefiniteness are rejected under 35 U.S.C. 102(b) as being anticipated by Bobo.

Bobo discloses an annular arrangement of a plurality of shroud liners for a gas turbine, each shroud liner is formed by elements 18 and 28, each liner has a closed downstream wall and a closed radially inner and outer walls; an inlet aperture 44 in the upstream wall and a plurality of apertures 58 in the sidewalls.

8. Claim 8 as far as it can be understood because of its indefiniteness is rejected under 35 U.S.C. 103(a) as being unpatentable over Bobo in view of either Proctor et al or British Patent 1484288.

Bobo is applied as above. However Bobo does not disclose a bleed aperture leading from the interior of the shroud liner to a radial clearance gap immediately upstream of the liner. Proctor et al and the British patent teach using a bleed aperture leading from the interior of the liner to a radial clearance gap to inhibit the passage of hot gas by the liner. To employ a bleed aperture leading from the interior of the Bobo liner to a radial clearance gap to inhibit the passage of hot gas, as taught by either Proctor et al or the British patent, would have been obvious to one having ordinary skill in the art at the time the invention was made.

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9. Claim 10, as far as it can be understood because of it's indefiniteness rejected under 35 U.S.C. 103(a) as being unpatentable over Bobo in view of British Patent 2,313,414.


Bobo is applied as above. However Bobo does not disclose a high pressure bleed system. The British Patent teacher using a high pressure bleed system 37 to inhibit the passage of hot gas from the gas stream into the plenum chamber. To employ the high pressure bleed system of the British patent in the Bobo device would have been obvious to one having ordinary skill in the art at the time the invention was made.

10. Claim 9, as far as it can be understood because of it's indefiniteness, is rejected under 35 U.S.C. 103(a) as being unpatentable over Bobo in view of British Patent 2,313,414 and either Proctor et al or British Patent 1, 484288.

References are applied as above. To employ the high pressure bleed system of British Patent 414 in the device formed by the combination of Bobo and either Proctor et al or British patent 288 would have been obvious to one having ordinary skill in the art at the time the invention was made.

11. Pash is cited as being of interest in that it discloses a turbine shroud and turbine shroud assembly.

12. Any inquiry concerning this communication should be directed to Harold Tudor at telephone number (703) 306-4172.


HAROLD J. TUDOR
PRIMARY EXAMINER

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